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JUL 11 2006

60,246-265; 10,802

REMARKS

Applicant has amended this application in response to the office action. Notably, the Daikin Industries' published PCT application relied upon by the examiner is in Japanese. However, it is believed the reference corresponds to published United States Patent Application U.S. 2005/0150969A1. If the examiner disagrees, please let applicant's representative know.

As the examiner correctly recognizes, the Daikin Industries' reference does not disclose the required algorithm for initiating the defrost mode. The examiner points to a secondary reference to Hoglund, however, Hoglund does not disclose any algorithm which is determined to be "developed to maximize heat transfer from the heat pump to an environment to be heated." Instead, Hoglund's emphasis is on improving system efficiency. The two are not the same.

Several dependent claims add further features to the independent claims 1 and 18, and as an example, the new dependent claims add more detail to the determination of the algorithm.

Simply, the prior art, while relating to defrost mode, does not meet the claims. An indication of allowability is in order.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,



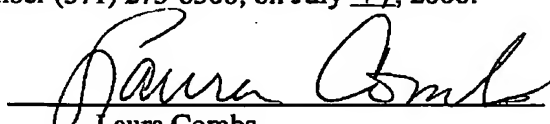
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on July 11, 2006.


Laura Combs